

Assembly Bill No. 1325

CHAPTER 791

An act to amend Section 594.6 of the Penal Code, relating to vandalism.

[Approved by Governor October 13, 2013. Filed with
Secretary of State October 13, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1325, John A. Pérez. Vandalism: punishment.

Existing law makes every person who maliciously defaces with graffiti or other inscribed material, damages, or destroys any real or personal property not his or her own guilty of vandalism and punishable by imprisonment, or fine, or both imprisonment and fine, as specified. Existing law further authorizes a court to impose, as a condition of probation, community service not to exceed 300 hours over a period not to exceed 240 days upon a person who has been convicted of vandalism or affixing graffiti or other inscribed material, as specified.

This bill would extend the period of time a person has to complete his or her imposed hours of community service from 240 days to one year.

The people of the State of California do enact as follows:

SECTION 1. Section 594.6 of the Penal Code is amended to read:

594.6. (a) Every person who, having been convicted of vandalism or affixing graffiti or other inscribed material under Section 594, 594.3, 594.4, or 640.7, or any combination of these offenses, may be ordered by the court as a condition of probation to perform community service not to exceed 300 hours over a period not to exceed one year during a time other than his or her hours of school attendance or employment. Nothing in this subdivision shall limit the court from ordering the defendant to perform a longer period of community service if a longer period of community service is authorized under other provisions of law.

(b) In lieu of the community service that may be ordered pursuant to subdivision (a), the court may, if a jurisdiction has adopted a graffiti abatement program as defined in subdivision (f) of Section 594, order the defendant, and his or her parents or guardians if the defendant is a minor, as a condition of probation, to keep a specified property in the community free of graffiti for up to one year. Participation of a parent or guardian is not required under this subdivision if the court deems this participation to be detrimental to the defendant, or if the parent or guardian is a single parent who must care for young children.

(c) The court may order any person ordered to perform community service or graffiti removal pursuant to subdivision (a) or (b) to undergo counseling.

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